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From:

Sent: Tuesday, April 19, 2011 4:02:25 PM

To:

Cc:

Subject: RE: TEFRA TMP QUESTION

If the partnership has not designated a general partner as TMP and it is impracticable to apply the largest profits interest rule under section 6231(a)(7)(B) to make the largest profits interest general partner the TMP by operation of law, then the Service may designate a limited partner as TMP in accordance with Treas. Reg. 301.6231(a)(7)-1(n). Under Treas. Reg. 301.6231(a)(7)-1(o)(3) it is impracticable to apply the largest profits interest rule if all of the general partners are disqualified. Under -1(o)(3)(iii) a general partner residing outside the United States is disqualified. Since no general partner has been designated, and all general partners reside outside the U.S., you may designate a limited partner as TMP.